

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

LESLIE MORGAN §
VS. § CIVIL ACTION NO. 9:13-CV-230
CHARLES M. BELL, *et al.*, §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Leslie Morgan, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendants Senior Warden Charles M. Bell and Kitchen Captain M. Kinsel, both of the Eastham Unit.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff's application to proceed *in forma pauperis* should be denied and this civil rights action be dismissed pursuant to 28 U.S.C. § 1915(g).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, however, the court finds the objections lacking in merit. United States Magistrate Judge Keith F. Giblin presides over cases in both the Beaumont and Lufkin Divisions of the Eastern District of Texas. This case was appropriately referred to United States Magistrate Judge Keith F. Giblin pursuant to the order of referral entered on August 14, 2013.

ORDER

Accordingly, the objections of plaintiff are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So **ORDERED** and **SIGNED** this **22** day of **November, 2013**.



Ron Clark, United States District Judge